

**SUPREME COURT MINUTES  
WEDNESDAY, SEPTEMBER 30, 2009  
SAN FRANCISCO, CALIFORNIA**

**S042323****PEOPLE v. BURNEY (SHAUN  
KAREEM)**

Rehearing denied

**S155129**

B191272 Second Appellate District, Div. 3

**DELGADO (JONATHAN) v.  
INTERINSURANCE  
EXCHANGE**

Rehearing denied

**S175307**

D054754 Fourth Appellate District, Div. 1

**PEOPLE v. HAJJAJ (FIRME  
HASSAN)**

Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S175794**

E047167 Fourth Appellate District, Div. 2

**PEOPLE v. WAGNER (TONY  
ROBIN)**

Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S174786**

H034369 Sixth Appellate District

**RANDEL (BRIAN KEITH) ON  
H.C.**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District, with directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, Sixth Appellate District. That court is ordered to vacate its summary denial dated July 1, 2009, and is further ordered to issue an order to show cause, returnable before the Monterey County Superior Court. The Director of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why the upper term sentence imposed solely for petitioner's voluntary manslaughter conviction did not violate petitioner's right to a jury trial. (See *Cunningham v. California* (2007) 549 U.S. 270; *In re Gomez* (2009) 45 Cal.4th 650, 655; Cal. Rules of Court, rule 8.528(d).) The return is to be filed on or before October 30, 2009.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S175844**      A125626 First Appellate District, Div. 1      **ALVAREZ (ALEJANDRO) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division One, with directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its order denying prohibition and/or mandate and to issue an order directing respondent court to show cause why the relief sought in the petition should not be granted.

The stay order issued by this court shall remain in effect pending further order of the Court of Appeal.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S176198**      A126020 First Appellate District, Div. 3      **WELLS (JONATHON) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division Three, with directions to issue an order to show cause

The petition for review is granted.

The order of the Court of Appeal, First Appellate District, Division Three, denying mandate and/or prohibition is vacated. The matter is transferred to the Court of Appeal, First Appellate District, Division Three, with directions to issue an order directing respondent court to show cause why the relief sought in the petition should not be granted.

The stay order issued by this court shall remain in effect pending further order of the Court of Appeal.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S174206**      B203348 Second Appellate District, Div. 7      **PEOPLE v. NEWCOMB (CHARLES AGUSTUS)**

Petitions for review & publication request(s) denied

**S174456**      B211888 Second Appellate District, Div. 3      **ROSALES (DANNY S.) ON H.C.**

Petition for review denied

The request for judicial notice is granted.

Baxter, Chin, and Corrigan, JJ., are of the opinion the petition should be granted.

**S174494** B208298 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. WASHINGTON  
(ROBERT LEE)**

**S174734** B206355 Second Appellate District, Div. 7

Petitions for review are denied

**PEOPLE v. LEON (ANTHONY  
THOMAS)**

**S174735** A120455 First Appellate District, Div. 2

Petition for review denied

**BARRAGAN-MENDOZA  
(MARTIN) ON H.C.**

**S174736** A123874 First Appellate District, Div. 2

Petition for review denied

**BARRAGAN-MENDOZA  
(MARTIN) ON H.C.**

**S174784** B205715 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. GOVEA (RAY  
RONNIE)**

**S174793** A119735 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DUMAS-  
VIOLETTE (CYNTHIA)**

**S174806** C057578 Third Appellate District

Petition for review & depublication request(s) denied

**CALIFORNIA OAK  
FOUNDATION v. COUNTY  
OF TEHAMA/(DEL WEBB  
CALIFORNIA CORPORATION)**

**S174807** B214970 Second Appellate District, Div. 8

Petition for review denied

**CHAVEZ (SANTOS) ON H.C.**

**S174808** B206169 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. GOMEZ  
(CHRISTIAN ALEXANDER)**

**S174810** C055469 Third Appellate District

Petition for review denied

**PEOPLE v. UGALINO (DEL  
JAY)**

**S174811** B204199 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. NEWELS (BRIAN  
KEITH)**

**S174825** B217096 Second Appellate District, Div. 8

Petition for review denied

**BOYKINS (RAYMOND) ON  
H.C.**

**S174852** B205061 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. SHETTY (SATISH)**

**S174856** E045289 Fourth Appellate District, Div. 2

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**PEOPLE v. VALDEZ (JUAN  
J.)**

**S174875** A125305 First Appellate District, Div. 3

Petition for review denied

**LOPEZ (JESUS) ON H.C.**

**S174887** H032508 Sixth Appellate District

Petition for review denied

**PEOPLE v. MELGOZA  
(DAVID RAMIREZ)**

**S174892** H034374 Sixth Appellate District

Petition for review denied

**BROWN (JEROME) ON H.C.**

<b>S174905</b>	E042693 Fourth Appellate District, Div. 2	<b>PEOPLE v. NELSON (JAMES CLAYTON)</b>
Petition for review denied		
<b>S174926</b>	B217175 Second Appellate District, Div. 6	<b>DELABRA-REBOLLAR (VIRGINIO) ON H.C.</b>
Petition for review denied		
<b>S174927</b>	B201072 Second Appellate District, Div. 4	<b>PEOPLE v. ULLOA (RAYMOND)</b>
Petition for review denied		
<b>S174938</b>	A117853/A119292 First Appellate District, Div. 1	<b>PEOPLE v. DILLON (TOMELIA)</b>
Petitions for review denied		
<b>S174959</b>	B207126 Second Appellate District, Div. 8	<b>PEOPLE v. CORRODI, JR., (JOHN T.)</b>
Petition for review denied		
<b>S174960</b>	F055289 Fifth Appellate District	<b>M.B., IN RE</b>
Petition for review denied		
<b>S174974</b>	B207131 Second Appellate District, Div. 4	<b>PEOPLE v. TORRES (SERGIO)</b>
Petition for review denied		
<b>S174978</b>	G039614 Fourth Appellate District, Div. 3	<b>PEOPLE v. LOPEZ, JR., (RAMIRO) &amp; GARCIA (JESUS)</b>
Petition for review denied		
<b>S174983</b>	E044833 Fourth Appellate District, Div. 2	<b>PEOPLE v. HERNANDEZ (JANETT GUADALUPE)</b>
Petition for review denied		

**S174984** E043393 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HERAZ (JOSE JUAN)**

**S174991** F054623 Fifth Appellate District

Petition for review denied

**PEOPLE v. SALDANA (HUGO ENRIQUE)**

**S175000** C057232 Third Appellate District

Petition for review denied

**PEOPLE v. MEREDITH (DWAYNE)**

**S175012** E048625 Fourth Appellate District, Div. 2

Petition for review denied

**KOON (ALLEN WILLIAM) ON H.C.**

**S175027** B206770 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CORTES (BENITO)**

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed on June 16, 2009, which appears at 174 Cal.App.4th 1335. (Cal. Const., art VI, section 14: rule 8.1125(c)(1), Cal. Rules of Court.)

**S175071** E048806 Fourth Appellate District, Div. 2

Petition for review denied

**COOK (DAMON B.) ON H.C.**

**S175191** D052724 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SALINAS (MIGUEL)**

**S175288** E048805 Fourth Appellate District, Div. 2

Petition for review denied

**MCDANIEL (ROBERT) ON H.C.**

**S175305** A120591 First Appellate District, Div. 5

Petitions for review denied  
Chin, J., was recused and did not participate.

**CONSUMER PRIVACY  
CASES**

**S175357** C058479 Third Appellate District  
Petition for review denied

**SHAW (JOSH) v. PEOPLE**

**S175405** D053169 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MARTINEZ  
(CHRISTIAN)**

**S175441** D054953 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GOMEZ  
(RICARDO ANTHONY)**

**S175442** C059500 Third Appellate District

Petition for review denied

**PEOPLE v. HAWKINS  
(DANIEL LELAND)**

**S175482** F054757 Fifth Appellate District

Petition for review denied

**PEOPLE v. CYRUS (TYRIE  
JAMAL)**

**S175486** D053241 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WASHINGTON  
(MELVIN TYREE)**

**S175487** A121087 First Appellate District, Div. 4

Petition for review & publication request(s) denied  
The request for judicial notice is denied.

**DOLAN (CHRISTOPHER B.)  
v. PIERI (JACQUELINE)**

**S175493** F055347 Fifth Appellate District

Petition for review denied

**PEOPLE v. HERMOSILLO  
(GILBERT RAYMOND)**

**S175567** C058903 Third Appellate District

Petition for review denied

**PEOPLE v. RHODES  
(ANDRE)**

**S175593** D053015/D054793 Fourth Appellate District, Div. 1 **PEOPLE v. RAMIREZ (JOSE  
ANGEL)**

Petition for review denied

**S175599** B213311 Second Appellate District, Div. 5  
Petition for review denied

**I.R., IN RE**

**S175601** A120227 First Appellate District, Div. 4

Petition for review & publication request(s) denied

**J.H. AND Y.A., MARRIAGE  
OF**

**S175635** F056349 Fifth Appellate District  
Petition for review denied

**PEOPLE v. RUSS (ROY)**

**S175652** F056603 Fifth Appellate District

Petition for review denied

**BROWN (CATRELL) v.  
FOSTER FARMS POULTRY**

**S175686** E043785 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. COLLINS  
(LARRY KAMAL)**

**S175695** B207958 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BROWN  
(PHILLIP)**



**S175702**      A118855 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BROWN  
(VERNON)**

**S175713**      B210094 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. DANTIGNAC  
(TAURUS)**

**S175718**      E044590 Fourth Appellate District, Div. 2

Petition for review denied

**H.E., IN RE**

**S175726**      A121197 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. HENDERSON  
(MARK EUGENE)**

**S175740**      H034088 Sixth Appellate District

Petition for review denied

Corrigan, J., was recused and did not participate.

**COCA-COLA ENTERPRISES,  
INC. v. WORKERS'  
COMPENSATION APPEALS  
BOARD/(BENDANILLO)**

**S175741**      B210910 Second Appellate District, Div. 6

Petition for review denied

**CARRADINE (SANDRA  
WILL) v. COWELL  
(WILLIAM)**

**S175748**      H032535 Sixth Appellate District

Petition for review denied

**PEOPLE v. FRAUSTO  
(ANTHONY JAMES)**

**S175749**      E046112 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. IBARRA (CRUZ  
A.)**

**S175752** B208224 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. WILLIAMS  
(JAMARR)**

**S175755** B205012 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MATTHEWS  
(WILLIAM JOSEPH)**

**S175758** B206395 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. PAYNE  
(LEETHIEL)**

**S175760** B215809 Second Appellate District, Div. 4

Petition for review denied

**WHEELER (NANCY) v.  
MERRILL LYNCH PIERCE  
FENNER & SMITH &  
COMPANY, INC.**

**S175763** C059419 Third Appellate District

Petition for review denied

**PEOPLE v. COTTON  
(JOHNNY MACK)**

**S175767** C057085 Third Appellate District

Petition for review denied

**PEOPLE v. BELL-SENTENEY  
(FORREST)**

**S175768** F055402 Fifth Appellate District

Petition for review denied

**PEOPLE v. CABRERA (JOSE  
SANTOS)**

**S175773** B205740 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MOORER  
(D'ANDRE)**

<b>S175777</b>	B206600 Second Appellate District, Div. 7	<b>PEOPLE v. GREY (FRANZ JOSEF)</b>
Petition for review denied		
<b>S175791</b>	B210426 Second Appellate District, Div. 7	<b>D.L., IN RE</b>
Petition for review denied		
<b>S175792</b>	G042434 Fourth Appellate District, Div. 3	<b>GARCIA (JOSE ANTONIO) v. S.C. (PEOPLE)</b>
Petition for review & application for stay denied		
<b>S175803</b>	D054914 Fourth Appellate District, Div. 1	<b>L. (VICTOR) v. S.C. (SAN DIEGO COUNTY HEALTH &amp; HUMAN SERVICES AGENCY)</b>
Petition for review denied		
<b>S175806</b>	A118942 First Appellate District, Div. 3	<b>PEOPLE v. SILVA (ARNOLD ANTHONY)</b>
Petition for review denied		
<b>S175811</b>	A119906 First Appellate District, Div. 1	<b>PEOPLE v. LEMKE (CRAIG ALVIN)</b>
Petition for review denied		
<b>S175815</b>	H032453 Sixth Appellate District	<b>PEOPLE v. MENDEZ (JUAN)</b>
Petition for review denied		
<b>S175827</b>	B207905 Second Appellate District, Div. 7	<b>PEOPLE v. KASPER (MATTHEW)</b>
Petition for review denied		
<b>S175836</b>	B200878 Second Appellate District, Div. 3	<b>TRAGO INTERNATIONAL, INC. v. LOVISON (DOUGLAS)</b>
Petition for review denied		

**S175840**      A122474 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MAGUDDATO  
(CHRISTOPHER)**

**S175849**      E042229 Fourth Appellate District, Div. 2

Petition for review & depublication request(s) denied

**HABITAT TRUST FOR  
WILDLIFE, INC. v. CITY OF  
RANCHO CUCAMONGA/  
(SPS DEVELOPMENT  
SERVICES, INC.)**

**S175853**      A121600 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MEYER (RONNA  
RONNELLE)**

**S175857**      C058386 Third Appellate District

Petition for review denied

**PEOPLE v. WILSON  
(GEORGE)**

**S175863**      E045292 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MOFFAT  
(CHARLES ALLEN)**

**S175865**      B218215 Second Appellate District, Div. 7

Petition for review & application for stay denied

**N.O., IN RE**

**S175885**      E045911 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MORGAN  
(ROBERT S.)**

**S175938**      D053461 Fourth Appellate District, Div. 1

Petition for review denied

**C. (PEDRO), IN RE**

**S176011****CAMPBELL (LARRY W.) v.  
S.C. (LINGAN)**

Petition for review denied

**S176037**      A125355 First Appellate District, Div. 2  
Petition for review & application for stay denied**PEOPLE v. S.C. (DAVIS)****S176297**      D055531 Fourth Appellate District, Div. 1**RSM EQUICO, INC. v. S.C.  
(DO RIGHT'S PLANT  
GROWERS)**

Petition for review &amp; application for stay denied

**S176428**      E049024 Fourth Appellate District, Div. 2**NATIONWIDE MUTUAL  
INSURANCE COMPANY v.  
S.C. (ORMONDE)**

Petition for review &amp; application for stay denied

**S171940**      E042344 Fourth Appellate District, Div. 2**LARSON (RICHARD TERRY)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172355****JONES, SR., (FREDRICK) ON  
H.C.**

Petition for writ of habeas corpus denied

**S172379****BUTZ (GEORGE FRANKLIN)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172450****DELRAY (ELI TONEY) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

**S172466****RUE (HAROLD D.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S172480****ABEDI (MOHAMMED) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S172548****FALCON (LIONEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S172554****BRIANO (DAVID) ON H.C.**

Petition for writ of habeas corpus denied

**S172563****STEPHENS (PHILLIP G.) ON H.C.**

Petition for writ of habeas corpus denied

**S172574****BURRELL (TROY LEE) ON H.C.**

Petition for writ of habeas corpus denied

**S172614****ENGEN (PAUL) ON H.C.**

Petition for writ of habeas corpus denied

**S172622****WILLIAMS (ROBERT A.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S172642****BROCK (MICHAEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S172668****ROTHWELL (MICHAEL) ON  
H.C.**

Petition for writ of habeas corpus denied

**S172686****DEWEY (PAUL EDWARD)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172692****GOMEZ (TONY) ON H.C.**

Petition for writ of habeas corpus denied

**S172701****RIDGE, JR., (LARRY D.) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)**S172715****MINJARES (SERGIO  
EMILIO) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)**S172716****JONES (TERRY) ON H.C.**

Petition for writ of habeas corpus denied

**S172795****BEJARANO (BOB) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)**S172798****BROWN (LONNIE CHARLES)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S172802****TAFOYA (RUDY) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

**S172836****GARDENHIRE (CHRISTIN)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172909****CASILLAS (RIGOBERTO  
VARGAS) ON H.C.**

Petition for writ of habeas corpus denied

**S172910****WARNER (DAVID JAMES)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S172912****LOWE (FLOYD) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S172928****ONTIVEROS (RICHARD) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)**S172929****SPENCER (EMERY DENNIS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172931****SANTISTEVAN (MARCOS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172953****ABREU (TAI) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

Corrigan, J., was recused and did not participate.



**S172958****STINE (JOHN MARK) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S172978****APARICIO (LUIS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S172985****SAVASTANO (KENNETH) ON  
H.C.**

Petition for writ of habeas corpus denied

**S172988****JAMES (WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied

**S172993****COLE (LONNIE) ON H.C.**

Petition for writ of habeas corpus denied

**S173009****BURRIS (ARMOND) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Nguyen* (2009) 46 Cal.4th 1007.)

**S173022****CORRAL (MICHAEL DAVID)  
ON H.C.**

Petition for writ of habeas corpus denied

**S173026****ADAMS (MIKAL DAVID) ON  
H.C.**

Petition for writ of habeas corpus denied

**S173084****MARTIN (DWIGHT) ON H.C.**

Petition for writ of habeas corpus denied

**S173409****WOODS II (EARNEST C.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S173514****ISLAND (ANDRE) ON H.C.**

Petition for writ of habeas corpus denied

**S174278****YOUNG (SAMMIE) ON H.C.**

Petition for writ of habeas corpus denied

**S175074****CLARK (RAYMOND) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S175213****FRANKLIN (BYRON GENE)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S175339****KING (JESSE STEPHEN) ON  
H.C.**

Petition for writ of habeas corpus denied

**S175390****BAKER (ROBERT E.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S175429****TOLLIVER, SR., (DARRYL  
LAMAR) ON H.C.**

Petition for writ of habeas corpus denied

**S175469****HEILMAN (THOMAS JOHN)  
ON H.C.**

Petition for writ of habeas corpus denied

**S175471****CLARK (RAYMOND) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S175651****KELSO (JOHN DONALD) ON  
H.C.**

Petition for writ of habeas corpus denied

**S175655****CURTIS (DAVID SCOTT) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S175793****MCGAREY (JACK) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S175868****BALLESTEROS (EDDIE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S175874****MCGAVOCK II (STEPHEN  
ALEXANDER) ON H.C.**

Petition for writ of habeas corpus denied

**S175916****PAYNE (MYRON ATRICE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S175947****FAIR (JESSIE) ON H.C.**

Petition for writ of habeas corpus denied

**S175965****KEYS (NAPOLEON) ON H.C.**

Petition for writ of habeas corpus denied

**S175979****DEJESUS (JONATHAN F.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S176130****HOWARD (ARNOLD  
BERNARD) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S174707**

B206519 Second Appellate District, Div. 1

**MOUNT ZION BAPTIST  
CHURCH OF LOS ANGELES  
v. STATE FARM GENERAL  
INSURANCE COMPANY**

Publication request denied (case closed)

**S175024**

A121756 First Appellate District, Div. 3

**CITY OF RICHMOND v.  
RICHMOND POLICE  
OFFICERS ASSOCIATION**

Publication request denied (case closed)

**S175218**

C054087 Third Appellate District

**SERVICE EMPLOYEES  
INTERNATIONAL UNION  
ETC. v. CITY OF  
SACRAMENTO/(SUTTER  
HEALTH, INC.)**

Publication request denied (case closed)

**S175394**

A123370 First Appellate District, Div. 5

**F. (VERONICA), IN RE**

Publication request denied (case closed)

**S175864**

F055589 Fifth Appellate District

**F.B., IN RE**

The time for ordering review on the court's own motion is hereby extended to December 2, 2009. (Cal. Rules of Court; rule 8.512(c)(1).)

**S033149****PEOPLE v. WEAVER  
(LATWON REGENIAL)**

Extension of time granted

Good cause appearing, and based upon counsel James Thomson's representation that he anticipates filing the appellant's reply brief by September 20, 2010, counsel's request for an extension of time in which to file that brief is granted to December 7, 2009. After that date, only five further extensions totaling about 270 additional days will be granted.

**S047868****PEOPLE v. GEORGE  
(JOHNATON SAMPSON)**

Extension of time granted

Good cause appearing, and based upon counsel Bruce Eric Cohen's representation that he anticipates filing the appellant's reply brief by June 1, 2010, counsel's request for an extension of time in which to file that brief is granted to November 24, 2009. After that date, only three further extensions totaling about 190 additional days are contemplated.

**S052210****PEOPLE v. RODRIGUEZ, JR.,  
(JERRY)**

Extension of time granted

Good cause appearing, and based upon counsel Katherine Alfieri's representation that she anticipates filing the appellant's opening brief by February 1, 2010, counsel's request for an extension of time in which to file that brief is granted to December 1, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S057156****PEOPLE v. CASE (CHARLES  
EDWARD)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Robin Kallman's representation that she anticipates filing the appellant's opening brief by August 3, 2010, counsel's request for an extension of time in which to file that brief is granted to December 1, 2009. After that date, only four further extensions totaling about 240 additional days are contemplated.

**S066940****PEOPLE v. CLARK  
(WILLIAM CLINTON)**

Extension of time granted

Good cause appearing, and based upon counsel Peter Giannini's representation that he anticipates filing the appellant's reply brief by January 31, 2010, counsel's request for an extension of time in which to file that brief is granted to November 30, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

**S073205****PEOPLE v. WILLIAMS  
(JACK EMMIT)**

Extension of time granted

Good cause appearing, and based upon counsel R. Clayton Seaman Jr.'s representation that he anticipates filing the appellant's reply brief by November 1, 2009, counsel's request for an extension of time in which to file that brief is granted to November 2, 2009. After that date, no further extension is contemplated.

**S078895****PEOPLE v. SIVONGXXAY  
(VAENE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 9, 2009.

**S082101****PEOPLE v. RHOADES  
(ROBERT BOYD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 1, 2009.

**S087773****PEOPLE v. GOMEZ (RUBEN  
PEREZ)**

Extension of time granted

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that she anticipates filing the appellant's opening brief by January 2010, counsel's request for an extension of time in which to file that brief is granted to November 24, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

**S095868****PEOPLE v. DANIELS (DAVID  
SCOTT)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Gail R. Weinheimer's representation that she anticipates filing the appellant's opening brief by March 2010, counsel's request for an extension of time in which to file that brief is granted to December 1, 2009. After that date, only two further extensions totaling about 90 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S101984****PEOPLE v. CHISM (CALVIN  
DION)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Zee Rodriguez's representation that she anticipates filing the respondent's brief by April 1, 2010, counsel's request for an extension of time in which to file that brief is granted to December 1, 2009. After that date, only two further extensions totaling about 120 additional days are contemplated.

**S103358****PEOPLE v. BARRERA  
(MARCO ESQUIVEL)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Ellen J. Eggers's representation that she anticipates filing the appellant's opening brief by July 1, 2011, counsel's request for an extension of time in which to file that brief is granted to December 7, 2009. After that date, only ten further extensions totaling about 570 additional days are contemplated.

**S115378****PEOPLE v. WOODRUFF  
(STEVE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 30, 2009.

**S138625****KENNEDY (JERRY NOBLE)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael Clough's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 1, 2010, counsel's request for an extension of time in which to file that document is granted

to November 30, 2009. After that date, only two further extensions totaling about 120 additional days are contemplated.

**S170441**

**THOMAS (NELSON LOUIS)  
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing it is ordered that the time to serve and file the informal response is extended to October 28, 2009.

**S170966**

**ALFARO (MARIA DEL  
ROSIO) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kyle Niki Shaffer's representation that she anticipates filing the informal response by December 7, 2009, counsel's request for an extension of time in which to file that document is granted to December 7, 2009. After that date, no further extension is contemplated.

**S172438**

**WATKINS (PAUL SODOA)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Stephanie A. Miyoshi's representation that she anticipates filing the informal response by May 28, 2010, counsel's request for an extension of time in which to file that document is granted to November 24, 2009. After that date, only three further extensions totaling about 180 additional days are contemplated.

**S172903**

B211805 Second Appellate District, Div. 5

**PRATHER (MICHAEL B.) ON  
H.C.**

Extension of time granted

Based upon the representation of counsel for Petitioner Prather that he anticipates filing the answer brief on the merits by October 12, 2009, the request for extension of time is granted. No further extension of time is contemplated.

**S176230**

B206957 Second Appellate District, Div. 6

**CITIZENS FOR PLANNING  
RESPONSIBLY v. COUNTY  
OF SAN LUIS OBISPO**

Extension of time granted

On application of real parties in interest and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to and including October 13, 2009.



**S133510****PEOPLE v. MICKEL  
(ANDREW HAMPTON)**

Counsel appointment order filed

In California, a criminal defendant has no right to represent himself or herself on appeal. (*People v. Scott* (1998) 64 Cal.App.4th 550; see also *Martinez v. Court of Appeal of Cal., Fourth Appellate Dist.* (2000) 528 U.S. 152.) On the court's own motion, Lawrence A. Gibbs is hereby appointed to represent appellant Andrew Hampton Mickel for the direct appeal in the above automatic appeal now pending in this court.

**S074624****PEOPLE v. MARTINEZ, JR.,  
(TOMMY JESSE)**

Order filed

The court requests the parties to file a supplemental letter brief addressing the following question: Are the police required to stop questioning and clarify a suspect's ambiguous statement concerning an invocation of the right to remain silent?

The parties are to serve and file simultaneous letter briefs addressing these questions on or before October 15, 2009, and may serve and file simultaneous reply briefs on or before October 26, 2009. All such briefs should be filed in the San Francisco office of this court. No extension of time will be granted.

**S151362****BELL (STEVEN M.) ON H.C.**

Motion to file document under seal granted

Petitioner's Application for Leave to File Sealed Exhibits in Support of Amended Petition for Writ of Habeas Corpus, filed on June 22, 2009, is granted.

With respect to Exhibits 97 through 101, the court makes the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.160(e). The clerk is directed to file under seal Exhibits 97 through 101 in Support of Amended Petition for Writ of Habeas Corpus, which were received conditionally under seal on June 22, 2009.

**S175412**

G039684 Fourth Appellate District, Div. 3

**MAGANA (MARIA) v.  
CHARLIE'S FOODS, INC.**

Order filed

The order filed on September 17, 2009, denying the petition for review is amended to reflect the title above.

**S174215****BRICKWOOD ON  
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of S. CALLAGHAN BRICKWOOD, State Bar Number 96324, as a

member of the State Bar of California is accepted. If S. CALLAGHAN BRICKWOOD subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against her.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S176675****MOSS ON RESIGNATION**

Resignation declined

Having considered the request, the court declines to accept the voluntary resignation with charges pending of ALAN IRVING MOSS, State Bar Number 68369, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).)

**S176676****JASON ON RESIGNATION**

Resignation declined

Having considered the request, the court declines to accept the voluntary resignation with charges pending of ROBERT MAXWELL JASON, State Bar Number 100944, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).)

**S176678****SHAW ON RESIGNATION**

Resignation declined

Having considered the request, the court declines to accept the voluntary resignation with charges pending of GERALD MICHAEL SHAW, State Bar Number 60001, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).)

